

AN ORDINANCE AMENDING CHAPTER 10, ENTITLED ZONING,
OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA BY
AMENDING SECTION 10-61, BY CREATING A NEW DEFINITION
CONTRACTOR'S SERVICE ESTABLISHMENT WITH PERMITTED OUTDOOR STORAGE OF
EQUIPMENT AND/OR MATERIALS BY AMENDING THE DEFINITION OF
CONTRACTOR SERVICE ESTABLISHMENT TO CLARIFY THAT THE OUTDOOR STORAGE
OF EQUIPMENT AND/OR MATERIALS IS PROHIBITED AND BY AMENDING
SECTION 10-30(4) AND 10-31 (4) BY ALLOWING A CONTRACTOR SERVICE
ESTABLISHMENT WITH PERMITTED OUTDOOR STORAGE OF EQUIPMENT
AND/OR MATERIALS AS A PERMISSIBLE USE BY SUP IN M-1 MANUFACTURING AND
M-L MANUFACTURING LIGHT DISTRICTS AND BY AMENDING SECTION 10-31 (3)
ALLOWING A CONTRACTOR SERVICE ESTABLISHMENT AS A BY RIGHT USE IN
M-L MANUFACTURING LIGHT ZONING DISTRICT

BE IT ORDAINED, by the Board of Supervisors of the County of Montgomery, Virginia, that Chapter 10, entitled Zoning, Sections 10-30 (4), 10-31 (3), 10-31 (4) and Section 10-61 of the Code of the County of Montgomery, Virginia shall be amended and reordained as follows:

Sec. 10-30. M-1 Manufacturing.

(4) *Uses permissible special use permit.* The following uses may be permitted by the board of supervisors as special uses, subject to the requirements of this chapter:

- (a) Airport.
- (b) Building material sales yard.
- (c) Cement manufacturing, concrete mixing plant, block plant and production of other concrete and asphaltic products.
- (d) Contractor service establishment with permitted outdoor storage of equipment and/or materials.
- ~~(d)~~(e) Contractors' storage yard and/or rental of equipment commonly used by contractors.
- ~~(e)~~(f) Extractive industries and accessory uses including, but not limited to, the mining of minerals, the operation of oil and gas wells, and exploratory activities associated with extractive industry.
- ~~(f)~~(g) Fertilizer manufacturing.
- ~~(g)~~(h) Junkyards and automobile graveyards, provided the use is not within three hundred (300) feet of an existing dwelling.
- ~~(h)~~(i) Kennel, commercial.
- ~~(i)~~(j) Park and ride lot of more than fifty (50) spaces.
- ~~(j)~~(k) Public utility plant, other.
- ~~(k)~~(l) Public utility substation.
- ~~(l)~~(m) Public utility plant, water.
- ~~(m)~~(n) Refining, processing or distribution of petroleum, petroleum products, natural gas and other forms of liquid fuel, aboveground.

- ~~(n)~~(o) Sawmill and planing mill, coal and wood yard.
- ~~(o)~~(p) Slaughterhouse.
- ~~(p)~~(q) Storage of bulk petroleum products.
- ~~(q)~~(r) Telecommunication tower, freestanding.
- ~~(r)~~(s) Use listed in subsection (3), if a manufacturing process is to take place outside.
- ~~(s)~~(t) Use similar to (a) through (o) above.

Sec. 10-31. M-L Manufacturing-Light.

(3) *Uses permitted by right.* The following uses are permitted by right, subject to compliance with all approved plans and permits, development standards and performance standards contained in this chapter and with all other applicable regulations:

- (a) Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts.
- (b) Business or trade school.
- (c) Cabinets, furniture and upholstery shop.
- (d) Civic club.
- (e) Conference or training center.
- (f) Contractor's service establishment.
- ~~(f)~~(g) Crematorium.
- ~~(g)~~(h) Day care center.
- ~~(h)~~(i) Equipment sales and service.
- ~~(i)~~(j) Financial services.
- ~~(j)~~(k) Fire, police, rescue facility.
- ~~(k)~~(l) Flex-industrial use.
- ~~(l)~~(m) Homeless shelter.
- ~~(m)~~(n) Hotel, motel.
- ~~(n)~~(o) Laboratory.
- ~~(o)~~(p) Laundry, dry cleaning plant.
- ~~(p)~~(q) Manufacture of musical instruments, toys, novelties, rubber and metal stamps.
- ~~(q)~~(r) Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.
- ~~(r)~~(s) Manufacturing, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, food and tobacco products.
- ~~(s)~~(t) Monument stone works.
- ~~(t)~~(u) Offices, administrative, business or professional.
- ~~(u)~~(v) Park and ride lot.
- ~~(v)~~(w) Pet, household.
- ~~(w)~~(x) Post office.
- ~~(x)~~(y) Printing service.
- ~~(y)~~(z) Public utility lines, other.
- ~~(z)~~(aa) Public utility lines, water or sewer.
- ~~(aa)~~(bb) Research, experimental, testing or development activity.
- ~~(bb)~~(cc) Retail sales and service incidental to any other permitted use.

- ~~(ee)~~(dd) Telecommunication tower, attached.
- ~~(dd)~~(ee) Veterinary service; animal hospital.
- ~~(ee)~~(ff) Wholesale business, storage warehouses.

(4) *Uses permissible by special use permit.* The following uses may be permitted by the board of supervisors as special uses, subject to the requirements of this chapter and with all other applicable regulations:

- (a) Airport.
- (b) Contractor's service establishment with permitted outdoor storage of equipment and/or materials.
- ~~(b)~~(c) Farm machinery sales and service.
- ~~(e)~~(d) Feed and seed stores and mill.
- ~~(d)~~(e) Kennel, indoor.
- ~~(e)~~(f) Mini-warehouse.
- ~~(f)~~(g) Motor vehicles rentals.
- ~~(g)~~(h) Recreation establishment.
- ~~(h)~~(i) Recycling facility.
- ~~(i)~~(j) Park and ride lot of more than fifty (50) spaces.
- ~~(j)~~(k) Public utility plant, other.
- ~~(k)~~(l) Public utility substation.
- ~~(l)~~(m) Public utility plant, water or sewer.
- ~~(m)~~(n) Shooting range, indoor.
- ~~(n)~~(o) Telecommunication tower, freestanding.
- ~~(o)~~(p) Use listed in subsection (3), if a manufacturing process is to take place outside.
- ~~(p)~~(q) Use similar to (a) through (m) above.

Sec. 10-61. Definitions.

Contractor's service establishment: Any establishment from which services are provided for building construction, building repair or building equipment installation or repair, such as, but not limited to flooring, heating and plumbing. The outdoor storage of equipment and/or materials shall be prohibited in a contractor's service establishment.

Contractor's service establishment with permitted outdoor storage of equipment and/or materials: Any establishment from which services are provided for building construction, building repair or building equipment installation or repair such as but not limited to flooring, heating and plumbing. Outdoor storage of equipment and/or materials is permitted.